



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT
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FEB 04 2004
TECHNOLOGY CENTER R3706

Serial No.: 09/808,567)
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Filed: March 14, 2001)
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Art Unit: 3761)
)
Examiner: G. Dawson)
)
For: BREATHING)
ASSISTANCE)
APPARATUS)
)
Applicant: SEAKINS et al.)
)
Atty Docket No.: 1171/39258/ 92)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450:

Date of Deposit: January 27, 2004

Tiffany E. Sexton
Tiffany E. Sexton

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
AFTER MAILING OF OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Supplemental Information Disclosure Statement. A copy of the listed reference is included herewith. This Supplemental Information Disclosure Statement and the enclosures constitute a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

Applicant first became aware of the reference cited in this Supplemental Information Disclosure Statement through an Office Action dated December 3, 2003 that issued in corresponding United States patent application Serial No. 10/270,805.

The Supplemental Information Disclosure Statement transmitted herewith is being filed after receipt of the Office Action but before the Notice of Allowance and before the payment of the issue fee.

Applicant states that no item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Supplemental Information Disclosure

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Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Supplemental Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Applicant believes that a fee is not required for this submission. If the Commissioner believes that a fee is required, the Commissioner is authorized to such fee to Deposit Account No. 20-1495.

Respectfully submitted,

Dated: January 27, 2004

By: 

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Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

SERIAL NO. 09/808,567

APPLICANT: Seakins et al.

FILING DATE: March 14, 2001

GROUP 3761

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

DATE CONSIDERED

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